

Hazardous Waste Management Commission Report

July - September 2009

Quarterly Report



Jefferson County has a long history of lead mining, milling and smelting. Pictured are the remnants of a primary lead smelter that was built in the mid-1800s.

Missouri Department of Natural Resources - Hazardous Waste Program

Hazardous Waste Management Commissioners

Andrew Bracker
James T. "Jamie" Frakes
Elizabeth Aull
Suzan Ponder-Bates
Gregory Canuteson

"The goal of the Hazardous Waste Program is to protect human health and the environment from threats posed by hazardous waste."

For more information

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Hazardous Waste Program
P.O. Box 176, Jefferson City, MO 65102-0176
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**Missouri Department of Natural Resources
Hazardous Waste Program**

September 2009 Program Update

I would like to take this opportunity to welcome Gregory Canuteson and Suzan Ponder-Bates to the Hazardous Waste Management Commission. Both Canuteson and Ponder-Bates are accomplished in their respective fields and will be a valuable asset to our commission.

In the same breath I also want to thank former commissioners Ben Kessler and Patrick Gleason for their many years of service on the Hazardous Waste Management Commission. Both have been exemplary Hazardous Waste Management Commissioners. It is because of a desire to positively influence Missouri's environmental and public health that individuals like Canuteson, Ponder-Bates, Gleason, Kessler and other members serve on boards and commissions and they deserve to be continually thanked for their service. Throughout this report you will see evidence of others who are dedicated to protecting human health and the environment from threats posed by hazardous waste, while promoting appropriate reuse of property – the staff in the Hazardous Waste Program.

Our Brownfields/Voluntary Cleanup Section shows there were still significant investments being made in communities across Missouri, even during an economic slowdown. As explained in this report, there are redevelopment plans for many of these cleaned up sites that will contribute financially to local economies.

The Compliance and Enforcement Section also helps communities, but in a different way. Working with businesses to maintain compliance with Hazardous Waste Management laws and regulations is a priority, but there are instances when enforcement is necessary. An abandoned box trailer, loaded with barrels of waste and left along a city street, was discovered and subsequently removed with assistance and guidance from the Compliance and Enforcement Section. The section was also able to negotiate a settlement with the responsible party after the hazards were removed.

When unexploded ordnance from a former military range was discovered near a state park, our Federal Facilities Section quickly began coordinating with both state and federal agencies to draft an action plan and inform the public of the happenings. This quick reaction and distribution of useful, relevant information helped keep neighbors and visitors to the park aware of the situation as the cleanup proceeds.

There are also online communities we work with. The Permits Section highlights their efforts to make sure permitting information is available to those who would prefer to receive it electronically. As they say in their article "those who must live with the outcome of an environmental decision are entitled to know what is going on and have easy access to that information."

The Hazardous Waste Program regularly helps communities and other institutions deal with contamination and come up with solutions to remove or minimize health risks. This can result in situations, like at High Point Elementary School, mentioned in the Tanks portion of this report, a new drinking water well installed to replace a well contaminated with benzene.

With the dedicated staff and commissioners the program is fortunate enough to have, we can and will continue working to keep communities safe from threats posed by hazardous waste while promoting economic benefits through property reuse.

Sincerely,



Robert Geller, Director
Hazardous Waste Program

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Rulemaking Clarification

The previous rulemaking article was about authorization and there was one point made in the article that could use a little clarification.

The Hazardous Waste Program does not, literally, adopt federal programs. What the program adopts are often copies, or something very close to a copy, of the federal programs, but they are not the federal program. Meaning, the department's Resource Conservation and Recovery Act, or RCRA, program is the state's RCRA program. The state's program may share similarities with EPA's RCRA program, but they are not one in the same.

As stated in the previous article, the department can only enforce Missouri laws and regulations. The Hazardous Waste Program has no authority to enforce EPA's regulations.

Authorization is the process by which states adopt their own rules and then submit them to EPA for review and approval. If the state rules meet the EPA standard for authorization, meaning the rules are not less stringent than their federal counterparts, the state is authorized to implement the rules in Missouri.

For more information about the Authorization process, refer to the April through June 2009 Hazardous Waste Management Commission Quarterly report. This report is available online at www.dnr.mo.gov/env/hwp/quarterlyreport.htm.

Sunshine law

In September, Mark Templeton, Director of the Missouri Department of Natural Resources, announced the department implemented the Sunshine Law recommendations outlined in Attorney General Chris Koster's report regarding open records compliance.

The department has consolidated the custodians of records responsibility into the Office of General Counsel of the Department of Natural Resources. There is now a single Custodian of Records who will work with department staff and records managers in the programs and regional offices to respond to record requests. Also, the department created a new Web page, www.dnr.mo.gov/sunshinerequests.htm, which explains to the public how to file a Sunshine request with the department. On that page there is a link to smooth the progress for online Sunshine requests.

"I am committed to ensuring the public has access to information in the department and the department operates in an open and transparent manner to protect the state's natural resources for the benefit of all Missourians," said Templeton.

In the Hazardous Waste Program, Budget and Planning Section's Records Center staff maintain approximately 47,000 files stored on 5,808 linear feet of file shelving. Records Center staff are responsible for assisting with coordination of Sunshine requests for the program. Nearly 1,000 public requests each year are processed through the Hazardous Waste Program's Records Center. The goal of the new records request procedure is to create one main point of contact for the public to go through when requesting information. This not only makes it easier for the public to know how to file a Sunshine request, but also can help the department track requests.

As requests come through the Custodian of Records, appropriate information will be sent to the different records centers in the department.

Ways of submitting records requests include:

- Visit the department offices in person at any one of the regional offices or main offices in Jefferson City.
- Telephone, e-mail, fax or mail the request to the Custodian of Records at 573-522-1181.

Costs

Some records requests involve lots of staff hours and resources to research and pull all the appropriate information together. This could include paper copies, CDs and even shipping. Reimbursements to the department for some requests are provided by law.

However, there are instances where the requestor may ask for the fee to be waived. The Custodian of Records may agree to waive or reduce the fee if it is determined the request is in the public interest and will contribute to public understanding of the operations and activities of the department and is not in the commercial interest of the requestor. Also if the cost and time involved with compiling information for the request is minimal, the fee may be waived or reduced.

Exemptions

There are some instances where department records are considered confidential and the Sunshine Law does not necessarily apply.

Types of information that may be kept confidential include:

- Documents related to legal actions. However, any meetings, votes or settlement agreement relating to legal actions involving the department or its agents shall be made public upon final disposition of the matter voted upon or upon the signing of the parties of the settlement agreement, unless ordered closed by a court.
- Hiring, terminating, disciplining or promoting of a particular employee.
- Sealed bids and related documents, until the bids are opened, and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed or all proposals are rejected.
- Individually identifiable personnel records, performance ratings or records pertaining to employees or applicants for employment.
- Existing or proposed security systems and structural plans of real property owned or leased.
- Records that identify the configuration of components or an operation of a computer, computer system, computer network, or telecommunications network, and would allow unauthorized access to or disruption to a computer, computer system, computer network or telecommunications network.
- Credit card numbers, personal identification numbers, digital certificates, physical and virtual keys, access codes or authorization codes used to protect the security of electronic transactions between the department and a person or entity doing business with the department.
- Social security numbers (Chapter 610.035, RSMo).
- Criminal history information.
- Records otherwise protected from disclosure by law.

All information above is governed by applicable laws and policies. All laws are governed by Sections 610.010 to 610.200, RSMo. The department policy and procedure regarding the Missouri Sunshine Law is available in policy number 2.02.

More information about Missouri's Sunshine Law is available on the following Web pages:

- Missouri Sunshine Law: Chapter 610, RSMo – www.moga.mo.gov/STATUTES/C610.HTM.
- Missouri Attorney General's Office Web site (Sunshine Law) – www.ago.mo.gov/sunshinelaw/sunshinelaw.htm.
- Department Administrative Policy and Procedures, Chapter 2.02 Sunshine Law Requests -- www.dnr.mo.gov/policies/2.02%20Sunshine%20Law.doc

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To request documents, contact:

Rhonda Loveall
Custodian of Records
573-522-1181
custodianofrecords@dnr.mo.gov

Olivia Redevelopment in Joplin

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the Olivia Redevelopment site located at 320 S. Moffet Ave. in Joplin. The subject site is a vacant 5-story approximately 53,400 sq. ft. apartment building built in the early 1900s on a 1/3 acre lot. Located in a primarily residential area just west of downtown, the building was most recently known as Olivia Apartments. Historically, it has been used as a single and multi-family residential building.

Initial site assessments indicated the presence of asbestos-containing materials, lead-based paint, fluorescent light bulbs and ballasts and other miscellaneous materials such as tritium in exit signs and the potential for mercury-containing thermostats.

All asbestos-containing material was removed from the building in accordance with applicable state and federal regulations. The lead-based paint identified in various areas of the building was either sandblasted, wet-scraped to remove peeling paint then encapsulated with Fiberlock or simply encapsulated if no wet-scraping was required. An Operation and Maintenance Plan, which includes floor-by-floor diagrams depicting the locations of the encapsulated lead-based paint, was filed in the property chain of title with the Jasper County Recorder of Deeds. The Operations and Maintenance Plan provides building supervisors the ongoing monitoring and inspection requirements of the residual lead-based paint areas.

The department determined the site is safe for its intended use. Current redevelopment plans include small retail business on the first floor and residential apartments on the upper floors.

In September 2008, the Missouri Department of Economic Development awarded nearly \$467,500 in Brownfield Remediation Tax Credits to assist the BVCP participant in redeveloping this site.

Hazelwood Logistics Center in Hazelwood

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the Hazelwood Logistics Center site located at Fee Fee and Phantom Drive in Hazelwood. Hazelwood Logistics Center was originally part of the Robertson Township, an unincorporated area northwest of Lambert Airport, most of which was purchased by the City of St. Louis as part of a noise buyout program for the airport. The site contained several large areas of illegal dumping, former automotive shops and a bulk oil storage facility.

Several phases of site investigation revealed the presence of asbestos material, volatile organic compounds, polycyclic aromatic hydrocarbons, metals and total petroleum hydrocarbons in the soil and groundwater.

Investigation and remedial activities were conducted as part of the larger Hazelwood Commerce Center site. Remedial activities at the site include soil and groundwater analysis, soil and solid waste removal, removal of drummed and containerized hazardous materials, disposal of asbestos-containing material, disposal of propane tanks, closure of underground heating oil tanks and demolition of commercial and residential buildings. A risk assessment determined levels of contaminants remaining at the site do not exceed the standards for non-residential use of the property. The department determined the site is safe for its intended use.

This site has been redeveloped for industrial, distribution and retail use. The Hazelwood Logistics Center is part of a larger site, the Hazelwood Commerce Center site, that applied for and was approved to receive Brownfield Remediation Tax Credits.

Hazelwood Bulk Building in Hazelwood

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the Hazelwood Bulk Building site located at Fee Fee and Phantom Drive in Hazelwood. Hazelwood Bulk Building was originally part of the Robertson Township, an unincorporated area northwest of Lambert Airport, most of which was purchased by the City of St. Louis as part of a noise buyout program for the airport. The site contained several large areas of illegal dumping, former automotive shops and a bulk oil storage facility.

Several phases of site investigation revealed the presence of asbestos material, volatile organic compounds, polycyclic aromatic hydrocarbons, metals and total petroleum hydrocarbons in the soil and groundwater.

Investigation and remedial activities were conducted as part of the larger Hazelwood Commerce Center site. Remedial activities at the site include soil and groundwater analysis, soil and solid waste removal, removal of drummed and containerized hazardous materials, disposal of asbestos-containing material, disposal of propane tanks, closure of underground heating oil tanks and demolition of commercial and residential buildings. A risk assessment determined levels of contaminants remaining at the site do not exceed the standards for non-residential use of the property. The department determined the site is safe for its intended use.

This site has been redeveloped for distribution use. The Hazelwood Bulk Building is part of a larger site, the Hazelwood Commerce Center site, that applied for and was approved to receive Brownfield Remediation Tax Credits.

North Park - Hilton Garden Hotel in Berkeley

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the former North Park - Hilton Garden Hotel site located at Garvin Circle in Berkeley. The Hilton Garden Hotel area is located in the southern end of the North Park site near the intersection of North Hanley Road and I-70 in the city of Berkeley. The 4.2-acre site is roughly bounded by I-70 to the south, Ramona Lake Park to the west and the North Park development to the north and east.

The property is mostly residential and undeveloped (formerly residential), with some mixed commercial sites. A modified Phase I investigation/area-wide initial site characterization of the entire North Park site identified numerous former residential houses that have been razed, with potential asbestos-containing demolition debris backfilled in the foundations. The Phase I also identified numerous commercial properties located throughout the site. North Park Partners LLC, applied to the BVCP for oversight of intended remedial action. The Hilton Garden Hotel site has been surveyed to allow for unrestricted use closure separate from the remainder of the North Park site.

Environmental site assessment revealed asbestos-containing materials in five out of six structures on the site. The friable and non-friable asbestos-containing materials in the five buildings was double-bagged and placed into line roll-off boxes, and later transported to the appropriate landfills for proper disposal. Numerous hazardous and non-hazardous items, including household chemicals and cleaners, freon from refrigerators and freezers, fluorescent tubes, light ballasts, paint cans, drums of oil, paint and grease, batteries, mercury vapor lights, pesticides or herbicides, were collected from the structures prior to demolition and properly disposed. The department determined that the site is safe for its intended use.

Current plans for the site include development of a commerce center providing distribution, industrial, retail and office space.

North Park - Business Center I in Berkeley

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the former North Park - Business Center I site at the northeast corner of I-70 and Springdale Ave. in Berkeley. The Business Center I area is located in the southwestern portion of the North Park site near the cross-section of Springdale Ave. and I-70 in the city of Berkeley. The 9.7-acre site is roughly bounded by I-70 to the west and the North Park development to the north, east and south.

The property is mostly residential and undeveloped (formerly residential). A modified Phase I investigation/area-wide initial site characterization of the entire North Park site identified numerous former residential houses that have been razed, with potential asbestos-containing demolition debris backfilled in the foundations. North Park Partners LLC, applied to the BVCP for oversight of intended remedial action. The Business Center I site has been surveyed to allow for unrestricted use closure separate from the remainder of the North Park site.

Environmental site assessment revealed asbestos-containing materials in demolition debris buried in the basements and crawl spaces of former houses and buildings. Trenches were excavated parallel to streets with an approximate setback of 30 feet in an attempt to locate the former basements, crawl spaces and slabs. When encountered, the demolition material was excavated, transported to the landfill and properly disposed. An estimated 3,000 tons of asbestos-containing buried debris was removed from 25 locations at the Business Center I site. The department determined the site is safe for its intended use.

Current plans for the site include development of a commerce center providing distribution, industrial, retail and office space.

Carter-Waters Corporation - St. John in Kansas City

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the Carter-Waters Corporation - St. John site located at 6333 St. John Street in Kansas City. The site has been developed since 1953. Until 2000 the site was a steel fabrication shop. Since that time the site has been used for warehousing and steel rebar operations.

Initial site investigations showed the presence of volatile organic compounds in groundwater and volatile organic compounds, diesel range organics and metals in soil. Additional groundwater sampling did not find volatile organic compounds in groundwater above the lowest risk-based standard, the default target levels. Some levels of metals were present in groundwater above Missouri Water Quality Criteria. However, a Level 1 Ecological Risk Assessment determined that no ecological receptors should be affected. Contaminants in soil fall below the default target levels or the Risk-Based Target Levels, or appear to be within the range of background inorganic levels. The department determined that the site is safe for its intended use.

Missouri Department of Natural Resources - Hazardous Waste Program Brownfields/Voluntary Cleanup Section

Kinder Morgan Pipeline Release in Middletown

The Missouri Department of Natural Resources' Brownfields/Voluntary Cleanup Program issued a Certificate of Completion for the Kinder Morgan Pipeline Release site located at the intersection of County Road CC and Lincoln School Road in Middletown. This site consists of undeveloped land in rural Montgomery County.

On Sept. 6, 2007, a rupture in the pipeline caused approximately 100,000 gallons of crude oil to be released from an underground pipeline into the adjacent undeveloped land, including a pond. The force of the release caused approximately one acre of forest to be sprayed with the crude oil and the pond to be completely covered with crude oil. Emergency response activities removed the crude oil from the pond and disposed of impacted soil and other debris (trees, shrubs, etc.), and the pipeline was repaired. Additional remediation activities occurred to ensure all of the crude oil was recovered, including de-watering of the pond and excavation of the pond bottom and banks. Groundwater sampling was also conducted. These activities showed that all contaminants levels were acceptable for unrestricted land use. The department determined the site is safe for its intended use.

The site has been fully restored to its condition prior to the release, including refilling of the pond.

Sites in Brownfields/Voluntary Cleanup

	Active	Completed	Total
April	362	439	801
May	358	447	802
June	356	356	803

New Sites Received

July

West Meadows - Site 2, Springfield
 West Meadows - Site 3, Springfield
 West Meadows - Site 4, Springfield
 West Meadows - Site 5, Springfield
 West Meadows - Site 6, Springfield
 West Meadows - Site 7, Springfield
 West Meadows - Site 8, Springfield
 St. Joseph's Hospital, Kirkwood (former), Kirkwood
 Washington Avenue Commercial Building, St. Louis
 Chanute Gustine, St. Louis
 Willow Brook Farms (former), Springfield

August

WRM Tape Building, St. Louis
 Palestine Commons, Kansas City
 Carondelet Leadership Academy, St. Louis

September

Manchester Building, Maplewood
 Argonne/Clay Building, Kirkwood

Sites Closed

July

North Park - Business Center I, Berkeley
 North Park - Hilton Garden Hotel, Berkeley

August

Hazelwood Bulk Building, Hazelwood
 Hazelwood Logistics Center, Hazelwood
 Polarwave Ice and Fuel Redevelopment, St. Louis
 Carter-Waters Corporation - St. John, Kansas City
 Kenter Building Redevelopment, St. Louis

September

Melrose Apartments, St. Louis
 Kinder Morgan Pipeline Release, Middletown
 Olivia Redevelopment, Joplin

Drycleaning Environmental Response Trust Fund

The Department of Natural Resources' Drycleaning Environmental Response Trust, or DERT, Fund provides funding for the investigation, assessment and cleanup of releases of chlorinated solvents from dry cleaning facilities. The two main sources of revenue for the fund are the dry cleaning facility annual registration surcharge and the quarterly solvent surcharge.

Cleanup Oversight

No new applications were received during this reporting period and no sites were issued a Certificate of Completion during this period.

	Active	Completed	Total
July	19	7	26
August	19	7	26
September	19	7	26

Registrations

The registration surcharges are due by April 1 of each calendar year for solvent used during the previous calendar year. The solvent surcharges are due 30 days after each quarterly reporting period.

Calendar Year 2009	Active Facilities	Facilities Paid	Facilities in Compliance
Jan – Mar	255	133	52.1%
Apr – June	255	210	82.4%
July – Sept	255	226	88.6%

Calendar Year 2009	Active Solvent Suppliers	Suppliers Paid	Suppliers in Compliance
Jan – Mar	11	11	100%
Apr – June	11	11	100%
July – Sept	11	9	81.8 %

Reimbursement Claims

The applicant may submit a reimbursement claim after all work approved in the work plan is complete and the DERT Fund project manager has reviewed and approved the final completion report for that work. The DERT Fund applicant is liable for the first \$25,000 of corrective action costs incurred.

	Active	Completed	Total
July	1	3	0
August	2	0	0
September	0	7	1

	Received	Under Review	Paid
July	\$1,109.45	\$31,264.25	\$0
August	\$19,914.00	\$0	\$0
September	\$0	\$271,022.89	\$25,475.00*

*One reimbursement claim was processed/paid on Sept. 8, 2009 to Staten Island Cleaners (Former), Florissant, MO for to \$25,475.

At of Sept. 30, 2009: Total reimbursements- \$994,814.50 DERT Fund balance - \$2,199,709.

Missouri Department of Natural Resources - Hazardous Waste Program Compliance and Enforcement Section

Inspections and Assistance

Regional Office Employees:

- Conducted 173 hazardous waste generator compliance inspections:
 - 14 at large quantity generators.
 - 104 at small quantity generators.
 - 55 at conditionally exempt small quantity generators.
 - 1 e-scrap inspection at an electronics recycling facility.
- Issued 70 Letters of Warning and 1 Notice of Violation to require actions to correct violations.
- Made 41 Environmental Assistance Visits to hazardous waste facilities. Environmental Assistance Visits are on-site visits with a representative of a facility. The visits are intended to improve the understanding of a permit, registration, certification, report or other similar requirement. Environmental Assistance Visits provide an opportunity to enhance environmental compliance with regulations.
- Received 79 citizen concerns regarding hazardous waste.
- Conducted on-site investigations at 64 sites.

Hazardous Waste Program Compliance and Enforcement staff:

- Conducted nine inspections of noncommercial treatment, storage and disposal facilities and six inspections of commercial treatment, storage and disposal facilities.

Tanks Compliance and Enforcement Unit:

- Continued to address noncompliance issues resulting from compliance inspections.
- Continued to address the financial responsibility violations as a priority issue.
- There were 20 facilities referred to the unit with financial responsibility violations. Staff negotiated settlement agreements with 25 facilities to return them to compliance with financial responsibility requirements. Seventeen facilities were referred to the Attorney General's Office for legal action. The use of the expedited referral process approved by the Missouri Hazardous Waste Management Commission makes it possible for staff to address sites in a time-effective manner, allowing time for the case managers to assist with the inspection reviews.

Polychlorinated Biphenyl Inspectors:

- Conducted 25 compliance inspections at various types of facilities throughout the state. The reports are forwarded to the U.S. Environmental Protection Agency Region 7, which has authority for taking any enforcement action that may be warranted according to the Toxic Substances Control Act.

Hazardous Waste Transporter Inspector:

- Conducted 58 commercial vehicle inspections during which three vehicles were placed out of service. As part of the Commercial Vehicle Safety Association's protocol, the department sends the reports to the Missouri State Highway Patrol. When the transporter corrects the violations, he or she certifies to the patrol the violations were corrected.

As of September, there are 215 licensed hazardous waste transporters in Missouri.

Joseph Allen Property (aka Grayson Farm) in Grayson

This property is the subject of a multi-program (Air Pollution Control Program, Solid Waste Management Program and Hazardous Waste Program) environmental concern involving a large quantity of material dumped and in some cases burned, on a derelict farm property in Clinton County. A direct referral to the Attorney General's Office was made on June 25. While only slightly more than 55 gallons of ignitable hazardous waste was identified on this property, trade waste brought from off-site was open-burned and a large quantity of solid waste, apparently from a roofing business, was brought onto the property and dumped. The Clinton County Prosecutor has been pursuing criminal prosecution of the solid waste dumping against Joseph Allen and his company, Allen Roofing. Shortly before the referral, the property was sold for unpaid taxes by the county and no longer belongs to Mr. Allen. The buyer was aware of the situation regarding the hazardous and solid waste present on the property at the time of purchase. The Attorney General's Office has been attempting to negotiate cleanup of the waste and property by the new owner and has been requested to seek civil penalties against the original dumper as follows: \$1,417.50 for solid waste violations, \$4,000 for air pollution violations and \$40,000 for hazardous waste violations.

Stajo Iron and Metal in St. Louis

The Missouri Department of Natural Resources and Attorney General's Office signed a settlement agreement with Stajo Iron and Metal located at 711 Theresa Ave. in St. Louis. The company had failed to identify and properly dispose of hazardous waste, which violated Missouri's Hazardous Waste Management Law and Regulations. The settlement agreement includes \$3,677.14 in cost recovery payable to the Department of Natural Resources. Stajo Iron and Metal also agreed to \$25,340 in penalties. Stajo Iron and Metal will pay \$12,670 in penalties to the St. Louis City School Fund in four equal payments. The remaining \$12,670 is suspended contingent on Stajo not committing any repeat violations for two years following the effective date of the settlement agreement.

In 2007, the department cited a major violation against Stajo Iron and Metal for failure to identify and properly dispose of hazardous waste. The department conducted an investigation at the facility and found sixteen 55-gallon drums containing waste gasoline, used oil and tar inside an abandoned box trailer. It was later



An abandoned box trailer containing hazardous waste filled drums was discovered to be owned by Stajo Iron and Metal.



Missouri Department of Natural Resources - Hazardous Waste Program Compliance and Enforcement Section

discovered the box trailer and drums were owned by Stajo Iron and Metal. Subsequent inspections at the facility found 55-gallon drums containing used oil without lids and no markings identifying the contents. There was also evidence that past spills of oil and other wastes had not been properly cleaned up. With department direction and oversight, the responsible party corrected all violations.

New Listserv Postings

For the past quarter, the Enforcement and Compliance Assistance Listserv for Hazardous Waste Generators continued on its topic of Missouri specific regulations. It is vital to inform Missouri generators about the unique regulations that apply to them. The listserv is the ideal forum for this type of outreach. Over the past three months topics included:

- Labeling, marking and packaging hazardous waste per U.S. Department of Transportation regulations the entire time they are in storage
- Free U.S. Department of Transportation training available to the public.
- How to keep hazardous waste containers from coming in contact with accumulated liquid.
- Inspection requirements for large and small quantity generators.

Unexploded Ordnance Found Near Knob Noster

Unexploded ordnance at former Sedalia Army Air Field Rifle Range

The U.S. Army Corps of Engineers – Kansas City District, in coordination with the Missouri Department of Natural Resources, is investigating the Former Sedalia Army Air Field Rifle Range, where four unexploded ordnance items were found and disposed of. The four unexploded ordnance items were 2.36-inch diameter explosive anti-tank rockets commonly known as bazooka rounds. The rockets contained high explosives and were disposed of by the Explosive Ordnance Disposal Unit from Whiteman Air Force Base.

The U.S. Army Corps of Engineers is planning a response action to detect and dispose of unexploded ordnance in heavily trafficked areas of the site, including recently closed recreational trails in the state park, nearby residences and along access roads. An investigation will be conducted as soon as practical to characterize the nature and extent of munitions and environmental contamination, to be followed by a study to evaluate actions intended to address the problem. During this phase the public will be invited to review the suggestions for cleanup and provide input.



Knob Noster State Park and boundaries of the former pistol and rocket ranges.

About the Military Munitions Response Program

This site is being investigated under the Military Munitions Response Program, which is designed to address the remediation of unexploded ordnance, discarded military munitions and munitions



A bazooka round found in Knob Noster State Park is measured.

constituents located on defense sites. Defense sites are defined by the Department of Defense as locations that are or were owned by, leased to, or otherwise possessed or used by the Department of Defense. There are approximately 2,000 Military Munitions Response Program sites identified in the United States by the Department of Defense.

Missouri Department of Natural Resources - Hazardous Waste Program Federal Facilities Section

History of the Site

Historically, the Sedalia Army Air Field included a rifle range, a pistol range and a rocket range that operated from 1943 to 1947. The nearly 500-acre rifle range is located approximately two miles west of Whiteman Air Force Base and six and half miles southwest of the town of Knob Noster in Johnson County. Currently, a majority of the former rifle range is privately owned and a small portion is located in Knob Noster State Park. At this time, the McAdoo Equestrian Trail at the state park has been temporarily closed by the department for trail repair.

Public Meeting

The Missouri Department of Natural Resources invited the public to an informational meeting Oct. 18 at Knob Noster State Park to discuss the temporary closure of the McAdoo Equestrian Trail. The department closed the trail for repairs and to allow the U.S. Army Corps of Engineers to complete an assessment related to the potential presence of World War II-era munitions that could pose a risk to public safety. While the department does not expect the assessment to reveal the presence of any munitions in the park, the assessment is being conducted as a precaution.

Park staff and members of the department's equestrian advisory group were on hand to discuss proposed operational changes and future improvements to the equestrian trail. Because of extensive repairs needed, the department had scheduled to close the trail temporarily during fall 2009 so repairs could be made.

The U.S. Army Corps of Engineers and the Missouri Department of Natural Resources continue to investigate this site and protect citizens from this and any other potential contamination.



The Army Corps of Engineers is in the process of detecting and disposing of any unexploded ordnance near Knob Noster State Park.

Plugged-in public participation

The Hazardous Waste Program's Permits Section is making great strides in being transparent to Missouri citizens and using every available outlet to inform Missourians about public participation activities available to them. Several Web pages explain responsibilities and the hazardous waste permit process, announce public participation activities and inform anyone interested in the facilities regulated by the department. The home page is available on the department's Web site at www.dnr.mo.gov/env/hwp/permits/index.htm, gives a brief summary of the activities handled by the Permits Section. There are links to Web pages describing the types of permits and publications available. There are also links to permitted facilities in your neighborhood, public notices and opportunities for public involvement and actual active hazardous waste permits, orders and other regulatory agreements. It is the last three Web pages mentioned that will be focused on here.

All public comment periods and public meetings and hearings currently scheduled for Missouri hazardous waste facilities are listed on the Public Notices and Opportunities Web page, online at www.dnr.mo.gov/env/hwp/permits/notices.htm. Draft and final permits, plans and various other documents open to public comment or have an appeal deadline are posted on this Web page. Permit applications and some supporting documents are not available due to their size, although we are looking to include and post as much as we can. Paper copies of all permits, plans and supporting documents are available at the information center listed for that facility. Usually the information center is the closest public library to the facility. The public is notified about these public notice and public participation opportunities through newspaper legal notices, radio announcements and news releases, depending on the activity. Everyone listed on a specific facility's mailing list receives written notice from the Permits Section or the facility about any major activities for that facility.

Information about final permits, plans and various other documents for Missouri hazardous waste facilities is listed on the Active Hazardous Waste Permits, Orders and Regulatory Agreements Web page at www.dnr.mo.gov/env/hwp/permits/activepa.htm. Certain regulatory agreements have expiration dates listed, while others do not. Hazardous waste permits must be renewed every 10 years. Agreements and orders end when the conditions listed in the agreement have been satisfied. Electronic versions of these documents are added to this Web page as they become available. Paper copies of all permits, orders, agreements, plans and supporting documents are available, by appointment only, at the department's Elm Street Conference Center located at 1730 East Elm St. in Jefferson City.

Also included on this Web page is a list of any modifications to facility permits. Electronic versions of the modifications are added to the page after files are reviewed by Permits staff and become available. These modifications are labeled as Class 1, 2 or 3, depending on the type of change. Each C1 and C2 modification listed is linked to the letter the Permits Section sent to the facility to approve the modification. C3 modifications are linked to a "redline" version of the original Part I or Part II Permit with the changed conditions clearly marked. Deletions are shown as red strikeouts and additions are blue and underlined.

The last Web page is also the newest created by the Permits Section. The Permitted Facilities in Your Neighborhood Web page, located at www.dnr.mo.gov/asp/hwp/facilities/facilities-list.asp, contains a list of the Missouri hazardous waste treatment, storage and disposal facilities and resource recovery facilities overseen by the section. This is an Active Server Page, or ASP, database query. This application has the appearance of a traditional table. However, unlike a traditional table, which

includes static data that only changes when the Web maintainer updates the information, an ASP table provides dynamic data accessed from the Permits Section's databases. Every time this Web page is visited, the ASP table pulls the required data from the databases, providing visitors with the most current information available. Web visitors can also customize the table on the fly, based on what information they want to see. For example, you can click on any of the table headings and sort the list according to that field.

To access additional information the Section's databases can provide about a facility, you can click on the Handler ID provided in the ASP table. When you click on the Handler ID, a detailed information Web page will open. On this Web page you are given the facility's location, both county and physical address; a contact telephone number; whether they are a permitted or interim status facility; whether they are a Missouri resource recovery certified facility and, if so, their resource recovery class; and the federal representative, state senate and state representative districts in which the facility is located. To return to the ASP table, you will need to close the detailed information Web page.

In addition to the ASP table, a link to EPA's Envirofacts Web page is provided at the top of the Permitted Facilities in Your Neighborhood Web page. EPA's Envirofacts Data Warehouse is a single point of access to several EPA databases to provide you with information about facilities across the United States. This information is collected from regulatory programs such as the Permits Section, Superfund, water and air programs. With Envirofacts, you can produce maps of environmental information or retrieve in-depth information about a particular subject area, such as waste, water, toxics, air, radiation, or land.

Let's pick one of the regulated facilities and see what information you can access in Envirofacts. A K Steel Corp. Kansas City is the first "permitted" facility listed in the ASP table. One of the fastest ways to access the information about the facility you want to research is to use the facility's Handler ID. In this case, A K Steel's Handler ID is MOD007118029. Click on the Envirofacts link and a query form will open on EPA's Web site. To find information about A K Steel, change the facility identification to Handler ID and enter MOD007118029 in the Facility Identification Option Value field. Scroll to the bottom of the Web page and click on the search button. The Web page that opens will list basic facility information, such as the facility's location, contact information, mapping information, corporate link, list of institutional/engineering controls and North American Industry Classification System, or NAICS, code and description. The NAICS code identifies the business activities of the facility.

For facilities that are also performing active corrective action, like A K Steel, EPA provides a RCRA Corrective Action Site Progress Profile from the basic facility information Web page. When you click on the profile button, another Web page opens, providing basic information about the cleanup progress at the facility. The profile includes an interactive map, cleanup progress summary, environmental impact summary, contamination and exposure and the cleanup process and progress. You will know at a glance what has been done at the facility and when, whether a final remedy decision has been made or implemented, and whether the cleanup is complete.

The Permits Section firmly believes those who must live with the outcome of an environmental decision are entitled to know what is going on and have easy access to that information. Web pages are constantly reviewed for accuracy, completeness and understandability. It is the Permits Section goal to make these Web pages a one-stop-shop for anyone who has an interest in the Permits Section and the Missouri hazardous waste facilities around them.

Missouri Department of Natural Resources - Hazardous Waste Program

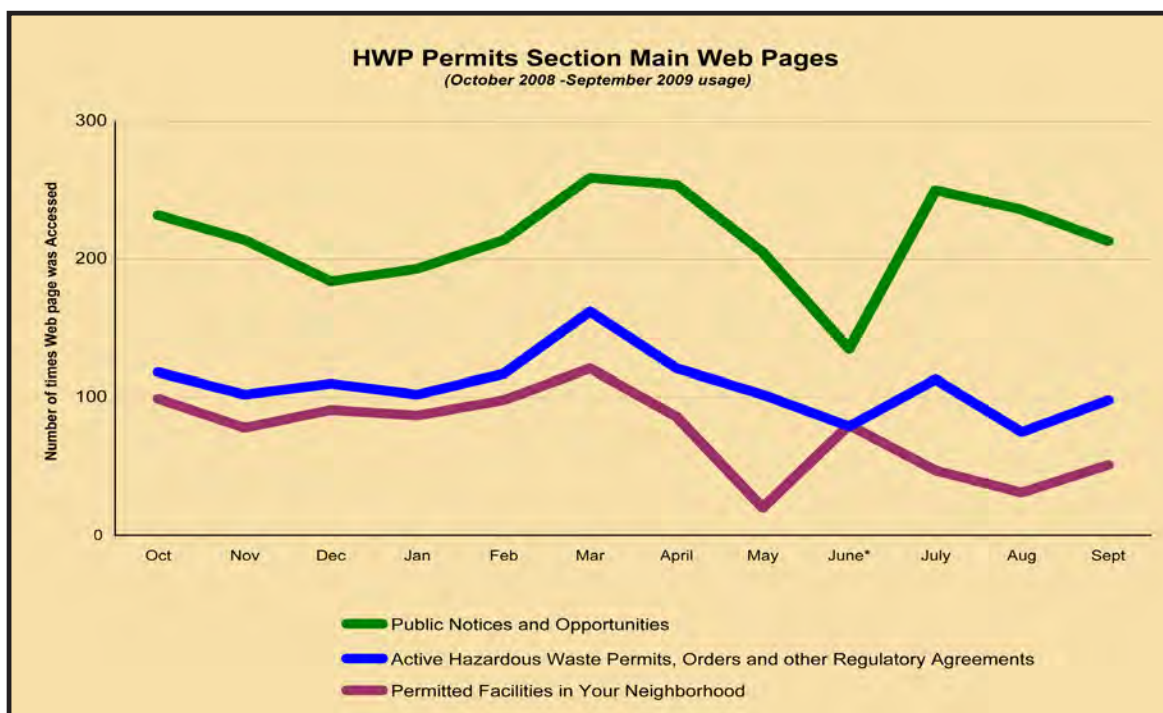
Permits Section

Number of Web Hits per Permits Section Web Page

(Oct. 2008-Sept. 2009)

	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June*	July	Aug	Sept
Public Notices	232	214	184	193	214	259	254	205	135	250	236	213
Permit Types	221	164	168	169	231	266	240	201	160	250	198	189
Home Page	225	190	167	160	189	230	215	166	143	211	182	193
Financial Assurance	146	122	123	125	111	144	128	94	83	136	123	153
ECAP	118	112	81	105	97	137	109	82	74	125	85	115
Active permits	118	102	110	102	117	162	121	102	79	113	75	98
Facilities	99	78	91	87	98	121	86	20	80/1653	47/408	31/114	51/296
Other activities	128	86	77	85	97	109	112	73	73	107	93	114
Publications	85	57	47	54	69	61	57	67	37	69	50	54

*The Permitted Facilities in Your Neighborhood Web page was updated in June from a traditional table to an ASP table. The second number given in the table is the number of Web hits for the detailed information Web pages.



Updates from Previous Reports

American Airlines MCI Maintenance and Engineering Base in Kansas City

The MCI Maintenance and Engineering Base is located in north Kansas City and borders the Kansas City International Airport. The property is owned by the City of Kansas City with American Airlines (formerly Trans World Airlines Inc.) operating at the site under a lease.

The department is currently in the process of renewing American Airlines' hazardous waste permit. The hazardous waste permit for post-closure care and corrective action activities will have no major changes from the original permit. It requires continued post-closure care activities for the two closed surface impoundments and closed landfill and would continue a groundwater monitoring program.

The draft hazardous waste permit was open for public comment until Oct. 19. The department is currently in the process of reviewing comments received from American Airlines. The department can change or deny the permit based on technical or legal issues brought up by the comments. The department will write a summary and response to all comments and explain how each was addressed in the final permit.

EBV Explosives Environmental Company in Joplin

EBV Explosives Environmental Co., located in Joplin, is a reactive waste management company that analyzes packages and sends reactive wastes to their incinerator. The department invited the public to review and offer written comments about the draft hazardous waste permit modifications for expansion of their facility.

The department issued final hazardous waste permit modifications to EBV Explosives Environmental Co. on Aug. 19. The final permit modifications allow EBV to construct a new building to treat Class 1.3 D Multiple Launch Rocket System rocket motors.

Exide Technologies - Canon Hollow Recycling Center in Forest City

Exide Technologies operates a secondary lead smelting plant, known as the Canon Hollow Recycling Center, on about 360 acres located northwest of Forest City. The department and EPA were in the process of renewing their hazardous waste permit. The department hosted a public meeting and public hearing about the draft permit on July 28. No public comments were entered into the official record at the hearing.

The department and EPA issued final hazardous waste permits to Exide on Sept. 23. The final permit allows Exide to continue to store whole batteries and containers in three areas, store bulk waste material in seven containment building areas, treat hazardous waste in a stabilization unit, dispose of hazardous waste produced by Exide in an on-site landfill and conduct post-closure care of a closed landfill. The permits also contain corrective action conditions to address releases to the environment from Solid Waste Management Units or Areas of Concern as necessary. On Oct. 22, Exide submitted an appeal of their final permit and a request for a stay of several permit conditions to the Administrative Hearing Commission. The Administrative Hearing Commission will schedule a public hearing on the appeal.

GE Transportation Systems Global Signaling, LLC in Grain Valley

GETS Global is located in Grain Valley and develops, assembles and performs research on the production of electronic signaling equipment used primarily by the railroad industry. The department and EPA were in the process of renewing their hazardous waste permit.

The department and EPA issued final hazardous waste permits to GETS Global on Sept. 30. The final permits require GETS to continue post-closure care, including groundwater monitoring, to make sure the contaminated groundwater does not threaten human health or the environment. The permits also outline the options that will be pursued in the event the contaminated groundwater moves off-site or downward significantly in the soil.

Southwest Jefferson County Mining Site Added to National Priorities List

The Southwest Jefferson County Mining site in Jefferson County was added to the National Priorities List by EPA on Sept. 23. The National Priorities List are hazardous waste sites eligible for extensive, long-term cleanup action under the federal Superfund program. The department supported this action. Jefferson County is part of Missouri's Old Lead Belt, where lead mining has occurred for several hundred years. The primary environmental concern at the Southwest Jefferson County Mining site is lead contamination in residential soils and private water wells.

EPA is currently involved with residential yard removals at the site. Seventy-eight residential yards have been identified for replacement. Of these identified yards, 58 yard replacements have been completed. The department continues to coordinate these efforts with EPA, the Missouri Department of Health and Senior Services, local health departments and the Agency for Toxic Substances and Disease Registry. A preliminary search for responsible parties to pay for cleanup indicates that for some or all areas of the Southwest Jefferson County Mining site there are no viable responsible parties. These orphan areas will require federal Superfund monies and a 10 percent state cost share to clean up.



Jefferson County has a long history of lead mining, milling and smelting. Pictured are the remnants of a primary lead smelter that was built in the mid-1800s.

Hazardous Waste Site Forum: Overview of Natural Resource Damage Assessment and Restoration

On Sept. 16, a Hazardous Waste Site Forum provided a setting to educate staff and ensure consistency in project management activities. During the forum, Amy Bush, Research Analyst in the Superfund Section, provided an overview of Natural Resource Damage Assessment and Restoration, or NRDAR, for interested co-workers in the Hazardous Waste Program.

NRDAR is a step-wise process, authorized under the Comprehensive Environmental Response Compensation and Liability Act and the Oil Pollution Act, among other statutes. Under NRDAR, trustees (those responsible to care for and protect natural resources), determine what natural resources are injured as a result of releases of hazardous substances, petroleum spills or pollutants. Through NRDAR, trustees seek compensation from those responsible for the injury, and collect money be used to restore the injured resources and compensate the public for their lost (or impaired) resources.

Employees representing every section in the Hazardous Waste Program attended the forum.

Screening-level Songbird Study in the Southeast Missouri Lead Mining District

A Natural Resource Damage Assessment is being conducted in the Southeast Missouri Lead Mining District, or SEMOLD. The Southeast Missouri Lead Mining District has been mined since the early 1700s and was the largest source of lead ore in the United States. As a result of mining and smelting, the land and water within the SEMOLD is contaminated with hazardous substances, mainly lead, zinc, cadmium and other metals.

As part of the Natural Resource Damage Assessment, the department, along with biologists from the U.S. Fish and Wildlife Service and U.S. Geological Survey's Patuxant Wildlife Research Center, conducted a screening-level songbird study in summer 2009.

The study took place in St. Francois and Iron counties. During the study, songbird tissues and blood samples were collected to determine whether songbirds are being exposed and adversely affected by lead or other metals related to mining activity. Soil and earthworms were also collected and analyzed to understand the route of exposure.

A follow-up songbird study in the SEMOLD is planned for spring 2010. The studies will indicate whether songbirds in the SEMOLD have been exposed to heavy metals, and the nature and extent of injury to songbirds.



(Above) Non-target species, such as the yellow-billed cuckoo pictured here, were released from mist nets. (Below) Biologists collect a blood sample from a northern cardinal.



Biologists measure soil-contaminants with an X-ray Fluorescence analyzer before determining mist net locations.

New Drinking Water Well Completed at High Point Elementary School

With a new drinking-water well pumping clean, safe water into High Point Elementary School, teachers, students and parents can spend the school year focused on test scores instead of their drinking water. The new well, funded by the Missouri Department of Natural Resources through a federal trust fund, replaced the school's existing, contaminated well. To mark the completion of the new drinking water well, department staff, school board members, teachers and students assembled for a ribbon cutting at the new well in High Point on Tuesday, Sept. 8.

"Missouri has some of the best water in the nation, and it's my honor to be able to help supply your school with safe drinking water," Ken Koon, Tanks Section Chief with the department, said at the ribbon cutting.

After tests of the school's drinking water showed elevated levels of benzene in late 2007, the department began purchasing bottled water for the school as an immediate, temporary solution. Benzene is a colorless liquid with a sweet odor and is a natural part of crude oil and gasoline products. Recognizing the need for the school to have a safe supply of drinking water, the department also began planning for a new water well.



As teachers, board members and students look on, High Point Elementary School Board President Rick Percival, right, with scissors, and the Department's Tanks section chief Ken Koon, cut a ribbon and formally open the new drinking water well at High Point Elementary School.



Jeff Kuttenkuler, center-right, project manager for the new well at High Point Elementary School talks with school board members after the ribbon cutting.

School board officials and teachers were relieved to once again have a safe supply of water in the school.

"We're glad the bottled water is gone," School Board member Debbie Calvird said. Calvird added working with the department has been a "favorable" experience.

The new water well is sealed to prevent shallow petroleum contaminated water from entering the school's water system. The new well was drilled to a depth of more than 800 feet. Testing by the department indicated there is not benzene contamination at this depth. The Missouri Department of Natural Resources contracted with Barr Engineering Company of Jefferson City, to drill and install the new drinking water well at High Point Elementary School.

Jeff Kuttenkuler, project manager with the department, said the well is “one of the best in the area.” The school’s water will continue to receive regular testing. It is a legal requirement for public drinking water systems to receive regular testing.

Funding for the installation of the new drinking water well came from the Leaking Underground Storage Tank Fund, a federal fund established to provide money for cleanups at underground storage tank sites where the owner or operator is unknown, unwilling or unable to respond. The department’s Division of Geology and Land Survey investigated the site to locate the source of the benzene contamination, but were unsuccessful. The department will continue to investigate.

Completion of Contractor Project

The Department of Natural Resources hired a couple of contractors to assist in the review of the backlog of sites and to decrease turnaround times of document review. The review of backlogged sites was completed in the project period. One of the contractors focused on tank remediation sites that had been ongoing for an extended period, but didn’t necessarily pose an immediate health or environmental risk. There are a total of 387 storage tank sites that fit into this definition and have had no activity in the past three years. A majority of these projects were active when the department implemented Missouri Risk-Based Corrective Action in February 2004.

The new guidance detailed a process for the department’s Tanks section to assess and complete cleanup efforts differently than what had been done before. The Tanks section is reassessing tank cleanups that were active during the transition using the new guidance. The contractor’s uses the current guidance to re-evaluate and then categorize the 387 sites. These categories include recommending a site for closure, referring a site to the tank’s investigatory list for a further evaluation period by the department or if the responsible party has neglected the cleanup, the responsible party can be referred to the Compliance and Enforcement section.

The summary below lists the results of the project:

- 25 sites granted no further action.
- 89 sites granted administrative closure.
- 92 sites approved for work from the department. A status letter will be sent asking for an update of the approved activities.
- 51 sites will be issued a letter of warning for not responding to the department’s last request for cleanup activities.
- 8 sites will be issued a notice of violation for not responding to the department’s last request for cleanup activities.
- 16 sites will be referred to the Hazardous Waste Program for not responding to the department’s last request for cleanup activities.
- 45 sites have become active (i.e. these are currently sending in a work plan due to property transactions, department efforts, etc).
- 66 sites listed as abandoned or proposed for the department’s investigations list.

Tanks Section staff will be following up on these sites and either moving the cleanup to completion or sending these sites to the HWP Enforcement Section to compel compliance. Another contractor has also made dramatic steps in helping the section move forward with active tank remediation sites. Over the last six months, document review times have decreased from 96.4 days to 53.4 days.

Sources and Causes Report

Subsection (c) of Section 1526 of the Energy Policy Act amends Section 9002 in Subtitle I of the Solid Waste Disposal Act to add requirements for states to maintain, update and make available to the public a record of underground storage tanks regulated under Subtitle I. The Environmental Protection Agency must require each state that receives funding under Subtitle I to meet the public record requirements. Subsection (d) of Section 9002 in Subtitle I requires EPA to prescribe the manner and form of the public record, and says that to the maximum extent practicable, the public record of a state must include:

1. The number, sources, and causes of UST releases in the state.
2. The record of compliance by USTs in the state with Subtitle I or a state program approved under Section 9004 of Subtitle I.
3. Data on the number of UST equipment failures in the state.

The Tanks Section's Annual Public Record Report for the period for Oct. 1, 2008 through Sept. 30, 2009 was placed on the department's Web site at www.dnr.mo.gov/env/hwp/tanks/tanks.htm.

The first section of the report describes the number of UST facilities, individual regulated tanks, compliance rates in the state of Missouri and an individual breakdown of the sources and causes of releases opened in Federal Fiscal Year 2008. The summary of sources and causes, and the listing of sources and causes, includes the listing of four releases from aboveground storage tanks. These aboveground storage tanks releases are regulated and the cleanup oversight is done by the department.

The number of cases opened by the department increased from 90 to 152 during FY2009. Following discussions with EPA in 2008, the department started reporting releases at tank closures. If contamination at closure in soil or groundwater exceeds the default target levels, then a release has occurred. This resulted in an additional release reported over FY 2008. Additionally, the Tanks Section has reviewed more Phase II reports during property transactions, resulting in more release files being opened.

Also listed on this site are potential releases files opened up at abandoned UST facilities in Missouri. These are old former gas station sites that the department is planning on investigating under the American Recovery and Reinvestment Act project. During investigations, the data collected will allow us to confirm contamination and add as a confirmed release, or if no contamination is found, the release number can be deleted. There are 27 of these sites.